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Lead Counsel for Lead Plaintiff and the Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

BRADLEY COOPER, Individually and on Behalf of All Others Similarly Situated,

Case No. 4:14-cv-00360-CW

Plaintiff.

v.

THORATEC CORPORATION, GERHARD F. BURBACH, TAYLOR C. HARRIS, and ROXANNE OULMAN

CLASS ACTION

Defendants

**STIPULATION AND [PROPOSED] ORDER
CONTINUING THE CASE MANAGEMENT
CONFERENCE**

1 Plaintiffs and the Defendants in this action hereby stipulate as follows:

2 **WHEREAS**, on March 25, 2014, Plaintiff Bradley Cooper filed a Motion to Appoint
3 Lead Plaintiff and Lead Counsel (Dkt. 11);

4 **WHEREAS**, all oppositions to lead plaintiff motions are due on April 8, 2014, and all
5 replies to motions for lead plaintiff are due on April 15, 2014 (Dkt. 11);

6 **WHEREAS**, the hearing on Plaintiffs' Motions for Lead Plaintiff is scheduled for May
7 15, 2014;

8 **WHEREAS**, on January 27, 2014, the Court set a Case Management Conference to be
9 conducted on April 23, 2014, ordering the parties to submit a Case Management Statement by
10 April 16, 2014 (Dkt. 5);

11 **WHEREAS**, this matter is a class action under the federal securities laws and subject to
12 the Private Securities Litigation Reform Act of 1995 (PSLRA);

13 **WHEREAS**, pursuant to the Court's direction, the Plaintiffs will file a Consolidated
14 Amended Complaint after the Court appoints a Lead Plaintiff and Lead Counsel;

15 **WHEREAS**, pursuant to the PSLRA, all discovery in this case is stayed until the Court
16 rules on the sufficiency of the Consolidated Amended Complaint (15 U.S.C. §78u-4(b)(3)(B));

17 **WHEREAS**, the parties agree and respectfully submit that a case management conference
18 would be premature and not benefit the Court or the parties at this time because discovery is
19 stayed;

20 **NOW, THEREFORE**, the parties jointly request that the Court take the Case
21 Management Conference off calendar and that it be rescheduled, if necessary, after the discovery
22 stay is lifted, and further, the Case Management Statement due on April 16, 2014, be deferred
23 until one week prior to any Case Management Conference that may be scheduled.

1 **IT IS SO STIPULATED.**

2 Dated: April 2, 2014

3 **GLANCY BINKOW & GOLDBERG LLP**

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26 *Lead Counsel for Proposed Lead Plaintiff*

27 Dated: April 2, 2014

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38 *Counsel for Defendants Thoratec Corporation,
39 Gerhard F. Burbach, Taylor C. Harris, and
40 Roxanne Oulman*

ORDER

Pursuant to the stipulation of the parties, the April 23, 2014 Case Management Conference is hereby taken off-calendar, to be rescheduled, if necessary, following the lifting of the discovery stay. No Case Management Statement is currently due.

IT IS SO ORDERED.

Dated: April 4, 2014

Claudia Wilken
Honorable Claudia Wilken
United States District Judge
Northern District of California

PROOF OF SERVICE VIA ELECTRONIC POSTING PURSUANT TO NORTHERN DISTRICT OF CALIFORNIA LOCAL RULES AND LOCAL CIVIL RULE 5-1

I, the undersigned, say:

I am a citizen of the United States and am employed in the office of a member of the Bar of this Court. I am over the age of 18 and not a party to the within action. My business address is 1925 Century Park East, Suite 2100, Los Angeles, California 90067.

On April 2, 2014, I caused to be served the following document:

**STIPULATION AND [PROPOSED] ORDER CONTINUING THE CASE
MANAGEMENT CONFERENCE**

By posting the document to the ECF Website of the United States District Court for the Northern District of California, for receipt electronically by the parties as reflected on the attached Court's Service List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 2, 2014, at Los Angeles, California.

s/ Robert V. Prongay

Robert V. Prongay

Mailing Information for a Case 4:14-cv-00360-CW Cooper v. Thoratec Corporation et al

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)